



Crl.O.P.No.10586 of 2022

G.CHANDRASEKHARAN, J.

The petitioners, who apprehend arrest for the alleged offence **under Sections 294(b), 323, 324 and 506(2) IPC** in Crime No.116 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side).

3. The case of the prosecution is that on 03.04.2022, due to a property dispute, the petitioners have assaulted the father of the defacto complainant and his uncle and they were criminally intimidated. Hence, the complaint.

4. The learned counsel for the petitioners submits that the petitioners are innocent persons. He further submits that there is a property dispute between the petitioners and the father of the defacto complainant, due to which a false complaint has been lodged against the petitioners. Hence, he pleads for grant of anticipatory bail to the petitioners.



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5. The learned Government Advocate (Crl. Side) submits that the petitioners have assaulted the father of the defacto complainant, due to which he suffered a fracture. He further submits that the injured has been discharged from the hospital.

6. Considering the facts and circumstances of the case and in view of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Thiruvallur**, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each, with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



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(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(c)the petitioners shall report before the Investigating Officer daily at 10.30.a.m., until further orders;

(d)the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions has been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;



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dsa/anu

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

05.05.2022

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